

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JAMES KALAMARAS, ET AL.

-v-

ORDER OF DISMISSAL FOR
LACK OF ACTIVITY
ADOPTING REPORT & RECOMMENDATION
CV 16- 459 (JS) (ARL)

MICHAEL SPOSATO, ET AL.
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APPEARANCES:

FOR PLAINTIFF(S):

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FOR DEFENDANT(S):

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SEYBERT, DISTRICT JUDGE:

The above-captioned action was opened with the filing of a complaint on Jan. 15, 2016.

On Sep. 12, 2017, Magistrate Judge Arlene Rosario issued an Order to Show Cause (docket entry [36]) directing the plaintiffs to update their addresses and submit narrative statements. The order warned, "failure to comply with this

Order will result in a Report & Recommendation to the District Judge that this action be dismissed with prejudice for a failure to prosecute." Absent any response from Plaintiffs, Judge Lindsay issued her Report & Recommendation on Nov. 3, 2017 (docket entry [40]). There has been nothing filed since that time, and the Court's mailings continue to be returned, so the Report & Recommendation is ADOPTED.

IT IS HEREBY ORDERED that the case be DISMISSED with prejudice for lack of prosecution, pursuant to Rule 41(b), Federal Rules of Civil Procedure. The Clerk of Court is directed to enter judgment and mark the case closed.

SO ORDERED.

/s/ JOANNA SEYBERT
JOANNA SEYBERT, U.S.D.J.

Dated: Central Islip, New York
Dec. 14, 2017